



DDC *HW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 09/832,509 Now Patent 6,896,177  
Applicant : Odie Kenneth Carter Issued: May 24, 2005  
Filed : April 11, 2001  
TC/A.U. : 3627  
Examiner : Steven B. McAllister Confirmation No. 2485  
Atty. Docket No. : 5010223-15  
Customer No. : 21129  
Title : METHOD & COMPUTER  
PROGRAM FOR BUILDING  
AND REPLENISHING CASH  
DRAWERS WITH COINS *h*

Mail Stop Petitions  
Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

EXPRESS MAIL

EV634458352US

**PETITION TO REVERSE REDUCTION OF  
PERIOD OF ADJUSTMENT OF PATENT TERM  
AND COMBINED AFFIDAVIT**

Sir:

This is a Petition to reverse the Reduction of Period of Adjustment of Patent Term under  
37 § CFR 1.704(c) (10), namely, the 112 days noted on the patent term adjustment history of this  
application.

*1455*

~~06/30/2005 EFLDRES 00000023 500354 09832509~~

~~01 FC:1463 200.00 DA~~

06/30/2005 FFANAIA3 00000027 500354 09832509

01 FC:1455 200.00 DA

My name is Kyle L. Elliott. I am over 21 years of age and I am a partner at Spencer Fane Britt & Browne LLP where I am head of the Intellectual Property Department. I am admitted to practice before the United States Patent and Trademark Office and my registration number is 39,485. I am admitted in the bars of the states of Kansas, Missouri, and California. I attest to the facts recited herein, and I am the attorney of record in the present application No. 09/832,509, now U. S. Patent No. 6,896,177, entitled METHOD & COMPUTER PROGRAM FOR BUILDING & REPLENISHING CASH DRAWERS WITH COINS.

Applicant received an Office Action dated September 30, 2004, requesting Election/Restriction of Claims 17-33. The Examiner withdrew Claims 27 - 33 from consideration as being directed to a non-elected invention. The Examiner also noted Claims 17-26 were directed to two distinct species in the claimed invention.

On October 29, 2004, Applicant forwarded an Election to the Patent Office electing Claims 15, 16, and 22 - 26 for prosecution.

On January 10, 2005, Applicant's attorney, Kyle Elliott, authorized the Examiner in a telephone interview to cancel Claims 17 - 33. The reason for this cancellation was that Claims 22-26 were, according to the Examiner, directed to a different invention.

On January 14, 2005, a Notice of Allowance was issued in the application showing allowed Claims 15 and 16. An Examiner's Amendment accompanied the Notice of Allowance canceling Claims 17-33, but the Examiner's Amendment did not express the restriction of Claims 22-26.

On February 2, 2005, Applicant sent, via facsimile, a Letter to Patent Office Examiner Steven B. McAllister reiterating the telephone conversation of January 14, 2005, and simply requesting confirmation that Claims 22 to 26 were removed from the application because they were subject to a restriction requirement. This is obviously an important point to avoid future double patenting rejections.

After checking the Patent Office PAIR site, it was noticed that Applicant was penalized for 112 days due to the Letter dated February 2, 2005. The adjustment being 112 days from the date of the Letter to the date of issue of May 24, 2005.

Applicant feels that the submission of the Letter of February 2, 2005, was simply a request for clarification and confirmation and nothing which would cause substantial interference or delay in the patent issue process and should not be considered a failure to engage in reasonable efforts to conclude the processing or examination of the application and should not result in reduction of 112 days of a patent term adjustment pursuant to 37 CFR § 1.704(a) (10).

Appl. No. 09/832,509  
Inventor: Odie Kenneth CARTER

If further information or clarification can be supplied over the telephone, the Examiner is requested to contact the undersigned at 816-474-8100. The Petition fee of \$200 or any additional fees due in connection with this Petition should be charged to Deposit Account 50-0354.

Dated: June 28, 2005



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Tele.: 816-474-8100

State of Missouri   )  
                                  ) ss.  
County of Jackson   )

Subscribed and sworn to before me this 28<sup>th</sup> day of June, 2005.



Notary Public

(seal)   **PATRICIA CRABTREE**  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Jackson County  
My Commission Expires: June 23, 2008